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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,
13 Plaintiff,

14 v.

15 ADAM GARDNER,
16 Defendant.

17 No. CR 13-00446-1 YGR
CORRECTED
STIPULATION AND ORDER TO
CONTINUE STATUS / CHANGE OF
PLEA HEARING FROM APRIL 23, 2015
TO MAY 7, 2015 AND TO EXCLUDE
TIME UNDER THE SPEEDY TRIAL ACT

18 Date: April 23, 2015
19 Time: 2:00 p.m.
20 Court: Hon. Yvonne Gonzalez Rogers

21 The above-captioned matter is set on April 23, 2015 before the Hon. Yvonne Gonzalez
22 Rogers for status conference / change of plea hearing. The parties stipulate and request that the
23 Court reset the matter for a change of plea hearing on May 7, 2015 at 2:00 p.m., and that the
24 Court exclude time under the Speedy Trial Act until then.

25 The reason for this request is to afford both parties time to investigate additional newly
26 discovered information.

The parties agree that the time period between April 23 and May 7, 2015, inclusive, should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv) because the delay results from a continuance granted by the Court at defendant's request, without government objection, on the basis of the Court's finding that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendants in a speedy trial; (ii) failure to grant the continuance would be likely to make a continuation of the proceeding impossible, or result in a miscarriage of justice; and (iii) failure to grant the continuance would unreasonably deny defendant's continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

SO STIPULATED.

Dated: April 22, 2015

____ /S/ _____
William Frentzen
Assistant United States Attorney

Dated: April 22, 2015

____/S/_____
Camellia Baray
Attorney for Mr. Gardner

1 For good cause shown, the status conference / change of plea hearing currently set for
2 April 23, 2015 is continued to May 7, 2015 at 2:00 p.m., and time between April 23 and May 7,
3 2015 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
4 (h)(7)(B)(i) and (h)(7)(B)(iv).
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6 IT IS SO ORDERED.
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9 DATED: April 22, 2015
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Hon. Yvonne Gonzalez Rogers
United States District Court Judge